

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

FRANK ANCONA,

Plaintiff,

V.

MARK N. TEMPLETON, et al

Defendants.

No. 4:10-cv-626 RWS

**JOINT MOTION TO MODIFY CASE MANAGEMENT ORDER**

Come now Defendants with the consent of Plaintiff, and respectfully move this Court to modify paragraph four of the original Case Management Order (Doc. #25) to extend the date by which any motions to dismiss, for summary judgment or motions for judgment on the pleadings must be filed to thirty days after **February 11, 2011**. Thus, up to and including March 14, 2011. No other modifications to the Case Management Order are requested at this time. In support of this motion, the parties' state:

1. On July 6, 2010, this Court entered a Case Management Order (Doc. #25).
2. Pursuant to the order the original date to file dispositive motions was February 11, 2011.
3. The parties are in the process of discussing settlement.
4. In an attempt to avoid incurring additional and unnecessary attorneys fees the parties request to extend the pending deadline date to continue in a good faith attempt to bring this matter to resolution.

Wherefore Defendants and Plaintiff respectfully request that this Court modify its Case Management Order to extend the date by which any motions to dismiss, for summary judgment or motions for judgment on the pleadings must be filed to thirty days after

**February 11, 2011.** Thus, up to and including March 14, 2011 and for any such other and further relief as is proper under the circumstances.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on January 26, 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system and a copy was made available electronically to the following electronic filing participants:

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